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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,524	01/31/2001	Yue Yun Wang	29766-67966	4457

30450            7590            05/31/2002

CUMMINS, INC.  
11 SOUTH MERIDIAN  
INDIANAPOLIS, IN 46204

EXAMINER

HIRSCH, PAUL J

ART UNIT

PAPER NUMBER

3747

DATE MAILED: 05/31/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

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8	

DATE MAILED:

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

1.  The communication filed April 26, 2002 is informal/non-responsive for the reason(s) checked below and should be corrected. APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER OR UNTIL THE EXPIRATION OF THE PERIOD FOR RESPONSE SET IN THE LAST OFFICE ACTION (WHICHEVER IS LONGER) WITHIN WHICH TO CORRECT THE INFORMALITY.
  - a.  The amendment to claim(s) \_\_\_\_\_, filed \_\_\_\_\_, fails to comply with the provisions of 37 C.F.R. 1.121 and is accordingly held to be non-responsive. A supplemental paper correcting the informal portions and complying with the rule is required.
  - b.  The paper is unsigned. A duplicate paper or ratification, properly signed, is required.
  - c.  The paper is signed by \_\_\_\_\_, who is not of record. A ratification or a new power of attorney with a ratification, or a duplicate paper signed by a person of record, is required.
  - d.  The communication is presented on paper which will not provide a permanent copy. A permanent copy, or a request that a permanent copy be made by the Office at applicant's expense, is required, see M.P.E.P. 714.07.
  - e.  Other *SEE ATTACHED SHEET*.
2.  In accordance with applicant's request, THE PERIOD FOR RESPONSE FROM THE OFFICE ACTION DATED \_\_\_\_\_ IS EXTENDED TO RUN \_\_\_\_\_ MONTH(S). No further extension will be granted unless approved by the Commissioner. 37 C.F.R. 1.136 (b)
3.  Receipt is acknowledged of papers submitted under 35 U.S.C. 119 which papers have been made of record in the file.
4.  Other

Paul J. Hirsch  
Primary Examiner

Art Unit: 3747

***Election/Restriction***

1. Applicant has not listed the claims that correspond to the previous species restriction requirement, Paper #6 mailed march 20, 2002. Applicant has essentially stated that all claims are generic by stating that all claims read on Fig. 1, which is considered non-responsive as stated in the previous restriction requirement. Each of the following sets of claim(s) recite method/apparatus limitations not included in the others. Specifically in the last ten lines of the associated independent claims and are thus considered patentably distinct inventions.

- |                      |               |
|----------------------|---------------|
| I) Claims 1-6, 18-21 | V) Claim 24   |
| II) Claims 7-17      | VI) Claim 25  |
| III) Claim 22        | VII) Claim 26 |
| IV) Claim 23         |               |

The previous restriction requirement is repeated and incorporated herein and in agreement with the above claim Groupings. In complete response to this action, Applicant must elect one of the above patentably distinct inventions even though the requirement be traversed.

Failure to properly respond to this action will raise the question of abandonment.

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2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Primary Examiner Paul Hirsch whose telephone number is (703) 308-2697.

pjh

May 23, 2002



Paul J. Hirsch  
Primary Examiner